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6 **UNITED STATES DISTRICT COURT**
7 **NORTHERN DISTRICT OF CALIFORNIA**
8 **SAN FRANCISCO DIVISION**
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10 **TERRENCE DAVIS,**

11 **Plaintiff,**

12 **v.**

13 **MICHAEL J. ASTRUE, Commissioner**
14 **of the Social Security Administration,**

15 **Defendant.**

16 **JOHN DOE,**

17 **Plaintiff,**

18 **v.**

19 **MICHAEL J. ASTRUE, Commissioner**
20 **of the Social Security Administration,**

21 **Defendant.**

Case No. 06-cv-06108 EMC (NC)

**ORDER RE: DISPUTED
PRIVILEGE LOG ENTRY NO. 4**

Re: Dkt. No. 325

Related Case: No. 09-cv-00980 EMC
(NC)

22 At issue is defendant SSA's disputed privilege log entry No. 4, an e-mail chain
23 between SSA Commissioner Michael Astrue and third party Marty Ford. SSA asserts
24 that it previously produced the above-referenced e-mail (bates stamped SSA-55673-
25 55674) and document attachments in its possession, custody, and control, with one
26 exception. The only document SSA withholds is entitled "SSA's response 10-13-2009,"
27 a document attachment to the e-mail in dispute. SSA asserts this document attachment
28 contains personally identifiable information and other information protected by the

1 Privacy Act of 1974, 5 U.S.C. § 552a. *See* Dkt. No. 325. SSA further alleges that
2 plaintiffs are already in possession of this document attachment, as they included it as an
3 exhibit to their partial motion for summary judgment. Mtn. Part. Summ. Judg., Exh.
4 WW, Dkt. No. 158.

5 The Court orders that plaintiffs may file an opposition, if any, to defendant's
6 statement regarding disputed privilege log entry No. 4 on or before Wednesday, March
7 21, 2012.

8 IT IS SO ORDERED.

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10 DATED: March 19, 2012

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12 NATHANAEL M. COUSINS
13 United States Magistrate Judge
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